IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 29TH DECEMBER 2006 / 8TH POUSHA 1928

Bail Appl..No. 7629 of 2006()

CMP.4146/2006 of J.M.F.C.-I MUVATUPUZHA
Cr. No.851/06 of Muvattupuzha Police Station

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: PETITIONER/ACCUSED 3 & 4

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1. MUHAMMED BIN SHEER, S/O.ABDUL KHADAR,
KAINIKKARA VEEDU, THIROOR KARA,
THIROOR VILLAGE, MALAPPURAM.

2. SALIM, S/O.HUSSANKUTTY,
VATTANCHERY VEEDU, AREEKKODE KARA,
CHERUVANNOOR VILLAGE, KOZHIKODE.

BY ADV. SRI.T.G.RAJENDRAN

RESPONDENTS: COMPLAINANT AND STATE

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1. THE SUB INSPECTOR OF POLICE,
MUVATTUPUZHA POLICE STATION.

2. STATE REP. BY PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR SHRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 29/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

M.N.Krishnan, J.

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B.A.No.7629 of 2006

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Dated this the 29th day of December, 2006.

ORDER

This is an application for bail filed by accused Nos.3 and 4 in Cr. No.851 of 2006 of Muvattupuzha Police Station. The offences alleged are under Sections 41(i),(d), and 102 of Cr.P.C. and Section 20 read with Section 27 of Arms Act.

2. The allegations against the present petitioners are that they along with the first accused, who was found to be in possession of a gun, were found under suspicious circumstances while travelling in a car and therefore, they were interrogated and later arrested.

3. Heard the learned Public Prosecutor also.

4. Now that there is no previous case against these two persons and the gun had not been seized from them, they are already in jail for the last two weeks. Therefore, there is no purpose in unnecessarily detaining them in jail indefinitely. Therefore, bail is granted subject to the following conditions:

(1) The petitioners are released on bail on their executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each with two solvent sureties each for the like amount to the satisfaction of the Judicial First Class Magistrate Court-I, Muvattupuzha.

(2) The petitioners are directed to report before the Investigating Officer on every Monday between 10 a.m. and 11 a.m. for a period of two months.

(3) The petitioners shall not enter the limits of Muvattupuzha Police Station for a period of one month except for the purpose of reporting before the Investigating Officer.

(4) The petitioners shall not attempt to interfere with the investigation or attempt to intimidate or influence the procession witnesses.

This application is allowed as above.

M.N. Krishnan,
Judge.

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